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February 6, 2006

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Ms. Marlene H. Dortch
Office of the Secretary
Federal Communications Commission
445 12th Street, SW,
Washington, DC 20554

Re: Certification of CPNI Filing (February 6, 2006)

EB File No. EB-06-TC-060 EB Docket No. 06-36

Dear Ms. Dortch:

This letter is intended to respond to the Commission's Public Notices, DA 06-223 and DA 06-258, released on January 30, 2006 and February 3, 2006 respectively on behalf of Time Warner Telecom Inc. ("TWTC"). Upon receiving the Commission's directive to file a certificate of compliance, TWTC undertook a review of its CPNI practices, which it has not yet completed. Accordingly, TWTC describes below the extent to which it can attest to compliance with Sections 64.2000-64.2009 of the Commission's rules, and it commits to submitting a supplementary filing when its internal review is complete in approximately a week's time.

TWTC implemented an opt-out system several years ago, at the time of its first sales campaign using CPNI, to give customers the opportunity to prevent TWTC from using their CPNI to market new categories of services. TWTC notifies all customers as to their opt-out rights for use of CPNI in consumer marketing every two years, in compliance with the Commission's rules. New customers generally receive "Welcome Packet" of materials that include notification of their opt-out rights, along with information as to how to exercise those rights. It appears as if there are certain instances where the sales person has used discretion to not provide a Welcome Pack to certain customers. TWTC is currently reviewing this process to ensure that all customers are given the opportunity to exercise their opt-out rights, and is evaluating either tightening controls on the salesperson's discretion or finding another new-customer notification process altogether. When those opt-out rights have been exercised, the customer account record indicates the status of the customer's approval, which must be checked prior to the use of CPNI. This process was initiated several years ago when the first notifications were sent. Additionally, TWTC has continually educated and trained its employees

Ms. Marlene Dortch Page 2 February 6, 2006

regarding the appropriate use of CPNI. All employees undergo training in TWTC's Code of Conduct, which incorporates all of TWTC's policies, including those on handling CPNI. There is an express statement within the Code of Conduct that puts employees on notice that "Violation of these policies may result in disciplinary action up to and including termination of employment." At the end of training, employees must sign a statement indicating that they have understood and accepted TWTC's Code of Conduct. Sales personnel are required to attend even more robust training in handling CPNI.

TWTC maintains records of its sales and marketing campaigns that are initiated at the corporate level that use its customers' CPNI. These records are maintained for a minimum of one year. While we have reason to believe that records of marketing campaigns initiated at individual operating unit levels are similarly maintained, TWTC is checking to ensure that these are, in fact, available. With respect to maintaining additional information for sales and marketing campaigns involving access or use of CPNI to third parties, it has been TWTC's policy not to release CPNI to third parties for sales and marketing purposes. With respect to the issue of a supervisory process for outbound marketing requests, it has been, and continues to be, TWTC policy not to make any outbound marketing requests for customer approval for use of its CPNI. With respect to outbound marketing requests in general, TWTC policy permits its sales personnel to contact only those customers who have not opted to bar communications from TWTC marketing. Moreover, all larger-scale marketing plans requiring the use of CPNI are reviewed by supervisory personnel.

TWTC is committed to protecting its customers' CPNI, and is comfortable that processes are substantially compliant. As described above, however, there needs to be some further review at the detail levels to ensure that we are 100% compliant. Upon completion of our review, we will file an updated statement, along with my certification that TWTC is fully compliant with the Commission's CPNI rules. Should you have any questions or need additional information, please contact the undersigned.

Respectfully submitted.

Senior Vice President,

General Counsel and Regulatory Policy

cc: Byron McCoy, Telecommunications Consumers Division, Enforcement Bureau Best Copy and Printing, Inc.